

HOUSE JOURNAL

SEVENTY-FIFTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

THIRTIETH DAY — THURSDAY, MARCH 6, 1997

The house met at 10 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 36).

Present — Mr. Speaker; Alexander; Allen; Alvarado; Averitt; Bailey; Berlanga; Bonnen; Bosse; Brimer; Burnam; Carter; Chavez; Chisum; Christian; Clark; Coleman; Cook; Corte; Counts; Crabb; Craddick; Cuellar; Culberson; Danburg; Davila; Davis; Delisi; Denny; Driver; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Flores; Gallego; Galloway; Garcia; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hill; Hinojosa; Hirschi; Hochberg; Hodge; Holzheuser; Horn; Howard; Hunter; Hupp; Isett; Jackson; Janek; Jones, D.; Jones, J.; Junell; Kamel; Keel; Keffer; King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McClendon; McReynolds; Merritt; Moffat; Moreno; Mowery; Naishtat; Nixon; Oakley; Oliveira; Olivo; Palmer; Patterson; Pickett; Pitts; Place; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna, A.; Reyna, E.; Rhodes; Roman; Sadler; Seaman; Serna; Shields; Siebert; Smith; Smithee; Solis; Solomons; Staples; Stiles; Talton; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher; Van de Putte; Walker; Williams; Williamson; Wilson; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbranek.

Absent, Excused — Hilderbran; Price; Rodriguez; Swinford.

Absent — West.

The invocation was offered by Dr. Howard McNamara, pastor, First Baptist Church, Sherman, as follows:

Our most gracious and merciful God and Father, we come into your presence with hope and confidence claiming your promise:

"Come unto me, all you who are weary and burdened, and I will give you rest. Take my yoke upon you and learn from me, for I am gentle and humble in heart, and you will find rest for your souls. For my yoke is easy and my burden is light." (Matthew 11:28-30)

During this session, Lord, may each member of the house experience a true partnership with you in carrying out your will and work.

Yes, Lord, we come first to you for your guidance, wisdom, and strength. May each member have courage to vote in good conscience, to stand alone when necessary, to stand with others when possible, and to represent those without a prominent voice.

Father in Heaven, we confess today that we as adults carry many concerns—some far greater than others. Our moral and spiritual foundations need to be restored. While no one of us can do everything, every one of us

can do something to strengthen the spiritual foundation of our nation. Lord, we ask that you guide each of us today so that on this and each day we can know how to make a difference for good. Yes, restore within us a passion for truth.

Lord, it appears that for the first time in the history of our nation, those in leadership may hand off to the next generation a less hopeful and healthy nation. This need not be; this must not be. May our moral and spiritual foundations be restored.

Give each house member the needed wisdom to frame legislation that brings greater hope and health to the citizens of Texas and through our influence to the nation and the world.

Lord, we have tried doing what is right in our own eyes and we have suffered confusion and countless losses. We repent and commit ourselves to both seek and do what is right in your eyes. May each of us experience a new heartfelt trust in you.

The issues we face are indeed complex and so we ask that you help us discover the simple truths behind complex issues. We desire to do the right and wise thing in your eyes, knowing that then and only then will we find hope and courage infused into our people.

Furthermore, Lord, when we have genuine disagreements, may we search relentlessly for common ground. And when we must disagree—may we do so with civility towards one another.

Finally, Lord, as recipients of many past blessings, we, your servants in government, renew our covenant before you and one another to faithfully discharge our duties. Thank you for calling each of us to this high and privileged responsibility.

In our Savior's name we pray. Amen.

LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence for today because of important business:

Hilderbran on motion of Goolsby.

Swinford on motion of Chisum.

Price on motion of Stiles.

The following member was granted leave of absence for today because of important business in the district:

Rodriguez on motion of Goolsby.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, House List No. 15).

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 1).

CAPITOL PHYSICIAN

The speaker presented Dr. Hugh H. Wilson and Lisa Dunham, a fourth year medical student, of Hale Center, as the "Doctors for the Day."

The house welcomed Dr. Wilson and Ms. Dunham and thanked them for their participation in the Physician of the Day Program sponsored by the Texas Academy of Family Physicians.

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence for today because of illness:

West on motion of Eiland.

HCR 119 - ADOPTED (by Stiles)

Representative Stiles moved to suspend all necessary rules to take up and consider at this time **HCR 119**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HCR 119, Commending David Bernsen for his service to the Texas Transportation Commission.

HCR 119 was adopted without objection.

HR 296 - ADOPTED (by Clark)

Representative Clark moved to suspend all necessary rules to take up and consider at this time **HR 296**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HR 296, Honoring the teaching staff of St. Mary's School in Gainesville.

HR 296 was adopted without objection.

HR 190 - ADOPTED (by Rhodes)

Representative Rhodes moved to suspend all necessary rules to take up and consider at this time **HR 190**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HR 190, Commending the Silver-Haired Legislature.

HR 190 was read and was adopted without objection.

On motion of Representative Naishtat, the names of all the members of the house were added to **HR 190** as signers thereof.

INTRODUCTION OF GUESTS

The speaker recognized Representative Rhodes, who introduced Speaker Homer William Lear and John Holterman, members of the Silver-Haired Legislature.

Speaker Lear addressed the house briefly.

HCR 100 - ADOPTED (by Jackson)

Representative Jackson moved to suspend all necessary rules to take up and consider at this time **HCR 100**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HCR 100, Proclaiming April 12, 1997, Space Explorers' Day in Texas.

HCR 100 was read and was adopted without objection.

On motion of Representative Gray, the names of all the members of the house were added to **HCR 100** as signers thereof.

INTRODUCTION OF GUESTS

The speaker recognized Representative Jackson, who introduced Colonel Vladimir Titov of the Russian Air Force and Captain Frank Culbertson of the US Navy, both assigned to NASA in Houston.

Colonel Titov and Captain Culbertson addressed the house briefly.

HR 299 - ADOPTED (by Wise)

Representative Wise moved to suspend all necessary rules to take up and consider at this time **HR 299**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HR 299, Honoring Juan Lopez on the occasion of his 75th birthday.

HR 299 was adopted without objection.

On motion of Representative Solis, the names of all the members of the house were added to **HR 299** as signers thereof.

HR 272 - ADOPTED (by Goodman and Brimer)

Representative Goodman moved to suspend all necessary rules to take up and consider at this time **HR 272**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HR 272, Welcoming the members of the Mansfield High School Gold Dusters drill team to the State Capitol.

HR 272 was read and was adopted without objection.

HR 267 - ADOPTED
(by Van de Putte)

Representative Van de Putte moved to suspend all necessary rules to take up and consider at this time **HR 267**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HR 267, Congratulating San Antonio police officer Alfred Carnot on his promotion to the rank of captain.

HR 267 was adopted without objection.

HR 301 - ADOPTED
(by Van de Putte)

Representative Van de Putte moved to suspend all necessary rules to take up and consider at this time **HR 301**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HR 301, Congratulating San Antonio police officer Manuel B. Longoria, Jr., on his promotion to the rank of deputy chief.

HR 301 was adopted without objection.

HR 302 - ADOPTED
(by Thompson)

Representative Thompson moved to suspend all necessary rules to take up and consider at this time **HR 302**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HR 302, Commending the Reverend L. V. Adams on his forty years of service as a minister.

HR 302 was adopted without objection.

HR 303 - ADOPTED
(by Davis)

Representative Davis moved to suspend all necessary rules to take up and consider at this time **HR 303**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HR 303, Congratulating the 1972 Class 4A State Basketball champions from Roosevelt High School of Dallas.

HR 303 was read and was adopted without objection.

INTRODUCTION OF GUESTS

The speaker recognized Representative Davis, who introduced Ellis Davis, Jr., Coach of Roosevelt High School in 1972, his wife Betty, and Leroy Edwards, a former player.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Stiles requested permission for the Committee on Calendars to meet while the house is in session for the remainder of the session.

Permission to meet was granted without objection.

RULES SUSPENDED

Representative Junell moved to suspend the 5-day posting rule to allow the Committee on Appropriations to consider **HB 1**.

The motion prevailed without objection.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Averitt requested permission for the Committee on Insurance, Subcommittee on **HB 710**, to meet while the house is in session.

Permission to meet was granted without objection.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Calendars, at this time, speakers committee room, to consider the calendar.

Insurance, Subcommittee on **HB 710**, Texas High Risk Health Pool, at this time, speakers committee room, to consider **HB 710**.

Appropriations, 4 p.m. today, appropriations committee room, to consider **HB 1**.

PROVIDING FOR ADJOURNMENT

Representative Thompson moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the receipt of messages from the senate, and the signing of documents in the presence of the house, the house adjourn until 10 a.m. Monday, March 10.

The motion prevailed without objection.

BILLS AND JOINT RESOLUTIONS ON FIRST READING AND REFERRAL TO COMMITTEES RESOLUTIONS REFERRED TO COMMITTEES

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. Resolutions were at this time laid before the house and referred to committees. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 2).

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, House List No. 16).

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 3).

**BILLS AND JOINT RESOLUTIONS ON FIRST READING
AND REFERRAL TO COMMITTEES**

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. (See the addendum to the daily journal, Referred to Committees, List No. 2.)

ADJOURNMENT

In accordance with a previous motion, the house, at 1:10 p.m., adjourned until 10 a.m. Monday, March 10.

ADDENDUM

REFERRED TO COMMITTEES

The following bills and joint resolutions were today laid before the house, read first time, and referred to committees, and the following resolutions were today laid before the house and referred to committees. If indicated, the chair today corrected the referral of the following measures:

List No. 1

HB 2038 (by Smith), Relating to the definition of a toxic tort.
To Civil Practices.

HB 2039 (by Smith), Relating to certain rights of a settlor concerning a charitable trust.
To Business & Industry.

HB 2040 (by Smith), Relating to the punishment for certain assaults committed against employees of primary or secondary schools.
To Criminal Jurisprudence.

HB 2041 (by Smith), Relating to the inclusion of compensation for teaching driver education for purposes of contributions and benefits under the Teacher Retirement System of Texas.
To Pensions & Investments.

HB 2042 (by Smith), Relating to the effect of local ordinances relating to smoke detectors on residential rental property.
To Business & Industry.

HB 2043 (by Smith), Relating to the appraisal of property for ad valorem tax purposes.
To Ways & Means.

HB 2044 (by Smith), Relating to notice that a municipality must provide before holding a public hearing on the adoption of an ad valorem tax increase.
To Ways & Means.

HB 2045 (by Keffer), Relating to procedures governing the obtaining by state agencies of information from individuals.
To State Affairs.

HB 2046 (by Keffer), Relating to the location of justice of the peace courts in certain counties.
To County Affairs.

HB 2047 (by Keffer), Relating to the definition of motor vehicle for purposes of certain intoxication and alcoholic beverage offenses.
To Criminal Jurisprudence.

HB 2048 (by Hightower), Relating to the regulation of certain persons providing travel and transportation-related services; providing a criminal penalty.
To Licensing & Administrative Procedures.

HB 2049 (by Hightower), Relating to the authority of a county to regulate certain fireworks during a drought.
To State Affairs.

HB 2050 (by Garcia), Relating to the recall of a member of the board of trustees of a junior college district.
To Higher Education.

HB 2051 (by Garcia), Relating to the use of state-administered assessment instruments for public school students of limited English proficiency.
To Public Education.

HB 2052 (by Maxey), Relating to the release by a child-placing agency of background information about an agency home or group home to another child-placing agency.
To Human Services.

HB 2053 (by Maxey), Relating to restrictions on the expenditures of funds for private club memberships by an institution of higher education.
To Higher Education.

HB 2054 (by Maxey), Relating to the establishment of a joint nutritional case management pilot program to assist certain Medicaid clients.
To Public Health.

HB 2055 (by Maxey), Relating to prepaid higher education tuition scholarships for needy students.
To Higher Education.

HB 2056 (by Hill), Relating to the recovery of environmental inspection, removal, and remediation costs by a taxing unit that purchases real property at an ad valorem tax sale.
To Urban Affairs.

HB 2057 (by Giddings), Relating to the linked deposit program.
To Economic Development.

HB 2058 (by Delisi), Relating to the certification, operation, powers, and duties of certain integrated health plans.

To Insurance.

HB 2059 (by Alvarado), Relating to motor vehicle liability insurance for vehicles operated by peace officers in certain counties.

To County Affairs.

HB 2060 (by Horn), Relating to the adoption and administration of a sales and use tax by a county development district.

To Ways & Means.

HB 2061 (by Van de Putte, et al.), Relating to requiring certain individuals to file a statement of selective service status before enrolling in a public institution of higher education or receiving certain financial assistance.

To Higher Education.

HB 2062 (by Van de Putte), Relating to rate proceedings before the commissioner of insurance.

To Insurance.

HB 2063 (by Van de Putte), Relating to managed care coverage for certain health conditions.

To Insurance.

HB 2064 (by King), Relating to the authority of certain counties to impose a county hotel occupancy tax.

To Ways & Means.

HB 2065 (by King), Relating to the statistical recording of juvenile cases initially referred to the office of the prosecuting attorney.

To Juvenile Justice & Family Issues.

HB 2066 (by Patterson), Relating to the powers of the Hopkins County Hospital District.

To County Affairs.

HB 2067 (by Swinford), Relating to temporary vehicle registration.

To Transportation.

HB 2068 (by Swinford), Relating to the regulation of commercial motor vehicles; providing civil, administrative, and criminal penalties.

To Transportation.

HB 2069 (by Denny), Relating to the application for a marriage license.

To Juvenile Justice & Family Issues.

HB 2070 (by Denny), Relating to violations of the compulsory school attendance law.

To Juvenile Justice & Family Issues.

HB 2071 (by Gutierrez), Relating to qualifications required to hold the office of constable.

To County Affairs.

HB 2072 (by Gutierrez), Relating to the making of a change to an offense report or accident report prepared by a peace officer.

To Public Safety.

HB 2073 (by Hightower), Relating to the continuation and functions of the Texas Juvenile Probation Commission.

To Juvenile Justice & Family Issues.

HB 2074 (by Hightower), Relating to the continuation and functions of the Texas Youth Commission.

To Corrections.

HB 2075 (by Hightower), Relating to the authority of the Texas Youth Commission to access criminal history record information relating to certain persons and business entities.

To Corrections.

HB 2076 (by Naishtat), Relating to inspection and rating of child-care facilities.

To Human Services.

HB 2077 (by Naishtat, Hernandez, and Ehrhardt), Relating to local-option bargaining by boards of trustees of public school districts.

To Public Education.

HB 2078 (by Naishtat), Relating to the disposition of a person's remains.

To Public Health.

HB 2079 (by Naishtat), Relating to school district child-care facilities for children of district employees.

To Public Education.

HB 2080 (by Delisi), Relating to notification and consent to disclosure of a failure to complete a peer assistance program.

To Public Health.

HB 2081 (by Grusendorf), Relating to public school educator certification.

To Public Education.

HB 2082 (by Hightower), Relating to the authority of the Texas Youth Commission to sell or license the right to use a treatment program developed by the commission.

To Corrections.

HB 2083 (by Hilderbran), Relating to county auditors who serve more than one county.

To County Affairs.

HB 2084 (by Hilderbran), Relating to the establishment of a pilot project in which vouchers are used for payment of certain health care services.

To Human Services.

HB 2085 (by Palmer), Relating to exempting the children of certain disabled veterans from tuition, fees, and other charges of a public institution of higher education.

To Higher Education.

HB 2086 (by Palmer), Relating to the operation of charitable bingo games.

To Licensing & Administrative Procedures.

HB 2087 (by Raymond), Relating to directing the Texas Veterans Commission to determine the need for establishing state cemeteries for veterans.
To State, Federal & International Relations.

HB 2088 (by Cuellar), Relating to the regulation of certain midwives; providing administrative penalties.
To Public Health.

HB 2089 (by Moreno), Relating to court administration in El Paso County, to the creation of the County Courts at Law No. 6 and No. 7 of El Paso County, Texas, and to the assignment of certain judges in El Paso County.
To Judicial Affairs.

HB 2090 (by Averitt), Relating to the regulation of stop loss insurance policies.
To Insurance.

HB 2091 (by Coleman, Brimer, Van de Putte, Goodman, and Danburg), Relating to the regulation of the practice of therapeutic optometry.
To Public Health.

HB 2092 (by Eiland), Relating to advertisements for health insurance coverage.
To Insurance.

HB 2093 (by McCall), Relating to coverage under certain health benefit plans of tests for the detection of prostate cancer.
To Insurance.

HB 2094 (by Uher), Relating to authorizing the Sweeny Hospital District to operate or provide for certain medical care and medical services to or for needy residents of the district.
To County Affairs.

HB 2095 (by Uher), Relating to the requirement of a driving safety course for renewal of certain persons' driver's licenses.
To Public Safety.

HB 2096 (by Uher), Relating to the selection of depositories by navigation districts and port authorities.
To Natural Resources.

HB 2097 (by Uher), Relating to risk pools established by political subdivisions to provide health and accident coverage.
To Insurance.

HB 2098 (by Uher), Relating to the regulation of certain franchised dealers who engage in the leasing of motor vehicles.
To Transportation.

HB 2099 (by Uher), Relating to student loan reimbursements for physician assistants practicing in certain areas.
To Public Health.

HB 2100 (by Grusendorf, Wilson, Hilbert, Williamson, and Chisum), Relating to a franchise tax and property tax credit for certain corporations.
To Revenue & Public Education Funding, Select.

HB 2101 (by Siebert), Relating to a signal indicating the approach of a train.

To Transportation.

HB 2102 (by S. Turner), Relating to the closing of juvenile court hearings to the public.

To Juvenile Justice & Family Issues.

HB 2103 (by S. Turner), Relating to restrictions on the siting of solid waste facilities and to the Texas Natural Resource Conservation Commission's consideration of cumulative risks in certain administrative proceedings.

To Environmental Regulation.

HB 2104 (by S. Turner), Relating to the charitable contributions of state employees.

To State Affairs.

HB 2105 (by Woolley), Relating to the regulation of credit service organizations.

To Financial Institutions.

HB 2108 (by West), Relating to the preparation of school district budgets.

To Public Education.

HB 2109 (by West), Relating to when an affidavit of relinquishment of parental rights may be executed by a parent.

To Juvenile Justice & Family Issues.

HB 2110 (by Gallego), Relating to enhancing the punishment for the offense of theft under certain circumstances involving a government contractor.

To Criminal Jurisprudence.

HB 2111 (by Telford), Relating to the continuation and functions of the Texas Commission on Fire Protection.

To Urban Affairs.

HB 2112 (by Rodriguez), Relating to the prosecution of and the punishment for the offense of criminal mischief, including criminal mischief involving graffiti, the creation of the offense of negligent performance of parental duty to prevent criminal mischief, and to other programs to eradicate graffiti.

To Criminal Jurisprudence.

HB 2113 (by Rodriguez), Relating to the appearance at a justice or municipal court hearing for a child accused of committing certain misdemeanors of the parent, managing conservator, or guardian of the child; providing a penalty.

To Juvenile Justice & Family Issues.

HB 2114 (by Rodriguez), Relating to admission policies for certain institutions of higher education.

To Higher Education.

HB 2115 (by Craddick, West, Gallego, B. Turner, and Walker), Relating to the designation of certain highways as the future route of La Entrada al Pacifico Corridor.

To Transportation.

HB 2116 (by Craddick), Relating to the ad valorem taxation of certain inventories.

To Ways & Means.

HB 2117 (by Craddick), Relating to the identification of a motor vehicle that is issued exempt license plates.

To Transportation.

HB 2118 (by Bosse), Relating to procedures for contract claims with the Texas Department of Transportation.

To Civil Practices.

HB 2119 (by Bosse), Relating to the continuation and functions of the Texas Commission on Alcohol and Drug Abuse; providing penalties.

To Public Health.

HB 2120 (by Edwards), Relating to the immediate qualification for an ad valorem tax exemption for certain property acquired by a religious organization.

To Ways & Means.

HB 2121 (by S. Turner), Relating to procedures required before a public school student may be placed in an alternative education program, expelled, or placed in a juvenile justice alternative education program under certain circumstances.

To Public Education.

HB 2122 (by McReynolds), Relating to school district teaching permits.

To Public Education.

HB 2123 (by Maxey and Naishtat), Relating to the prevention and detection of fraud in certain programs administered by the Texas Department of Human Services.

To Human Services.

HB 2124 (by Maxey), Relating to the distribution of child support payments under the financial assistance program for persons with dependent children.

To Human Services.

HB 2125 (by Maxey), Relating to individual development accounts for certain recipients of financial assistance.

To Human Services.

HB 2126 (by Maxey), Relating to requiring the Department of Human Services to evaluate and improve its programs.

To Human Services.

HB 2127 (by Maxey), Relating to fraud and improper payments under the state Medicaid program and other programs; to the creation of private cause of action for false claims for certain government payments; and to the creation of a criminal offense; providing penalties.

To Public Health.

HB 2128 (by Janek), Relating to the use of telephone caller identification services by telephone solicitors.

To Business & Industry.

HB 2129 (by Carter), Relating to the administration and financing of wireless service providers of 9-1-1 service.

To State Affairs.

HB 2130 (by Carter), Relating to the sale of alarm products or services and burglary detection devices.

To Public Safety.

HB 2131 (by Hunter), Relating to the title to materials and equipment in the state library system.

To State, Federal & International Relations.

HB 2132 (by Krusee), Relating to the qualifications for appointment as a general officer of the Texas State Guard or the adjutant general.

To State, Federal & International Relations.

HB 2133 (by Jackson and Brimer), Relating to the creation, powers, and duties of the State Office of Risk Management; provisions of workers' comp insurance coverage for state employees.

To Business & Industry.

HB 2134 (by Garcia), Relating to the jurisdiction of certain justice of the peace courts.

To Judicial Affairs.

HB 2135 (by Garcia), Relating to the regulation of wall and ceiling contractors; providing penalties.

To Licensing & Administrative Procedures.

HB 2136 (by Dutton), Relating to requiring the consent of local governments to place a correctional or rehabilitation facility in certain areas.

To Corrections.

HB 2137 (by Dutton), Relating to assignment pay for fire fighters and police officers in certain municipalities.

To Urban Affairs.

HB 2138 (by Hawley), Relating to the use of reflective tape on certain vehicles.

To Transportation.

HB 2139 (by Chavez), Relating to a franchise tax credit for the creation of jobs in counties with high unemployment.

To Ways & Means.

HB 2140 (by Counts), Relating to the licensing of agents for the sale of credit insurance.

To Insurance.

HB 2141 (by Keel), Relating to the seizure and sale of certain property by certain municipalities.

To Urban Affairs.

HB 2142 (by Keel), Relating to the confidentiality of the identity of a victim of certain sex offenses.

To Criminal Jurisprudence.

HB 2143 (by Keel), Relating to the creation of the offense of using, carrying, or exhibiting a weapon during the commission of a felony and to the sentencing of a defendant charged with or convicted of the offense.

To Criminal Jurisprudence.

HB 2144 (by Clark), Relating to the liability of certain persons appointed under a child advocacy program.

To Civil Practices.

HB 2145 (by Solis), Relating to removal of certain persons from the pool of prospective jurors.

To Judicial Affairs.

HCR 111 (by Gallego), Recognizing Dr. Alfredo Gutierrez, Jr., for his service to the city of Del Rio.

To Rules & Resolutions.

HCR 112 (by Coleman), Honoring the United Way of the Texas Gulf Coast on the occasion of its 75th anniversary.

To Rules & Resolutions.

HCR 113 (by Palmer), Memorializing the U.S. Congress to repeal the Federal Unemployment Tax Act (FUTA) and to transfer control of workforce development programs to the states.

To Economic Development.

HCR 115 (by Oakley), Commemorating the dedication of a historical marker honoring Captain Edward T. Broughton and the Johnson Guards.

To Rules & Resolutions.

HJR 3 (by Garcia), Proposing a constitutional amendment relating to the jurisdiction of the justice of the peace courts of Dallas County.

To Judicial Affairs.

HJR 7 (by Craddick), Proposing a constitutional amendment to abolish the office of constable in Midland County.

To County Affairs.

HR 293 (by Gallego), In memory of the Honorable Richard E. Elmendorf.

To Rules & Resolutions.

HR 294 (by Berlanga), Recognizing March 5, 1997, as American Heart Association Day.

To Rules & Resolutions.

HR 295 (by Roman and Kubiak), In memory of Glynn A. "Buddy" Williams.

To Rules & Resolutions.

HR 297 (by Seaman), Recognizing March 18, 1997, as Aransas County Day at the State Capitol.

To Rules & Resolutions.

SB 150 to Higher Education.

SB 170 to Juvenile Justice & Family Issues.

SB 291 to Public Health.

SB 302 to Criminal Jurisprudence.

SB 420 to Ways & Means.

SB 463 to Transportation.

SB 582 to Ways & Means.

SCR 37 to Rules & Resolutions.

List No. 2

SB 886 to Appropriations.

SIGNED BY THE SPEAKER

The following bills and resolutions were today signed in the presence of the house by the speaker:

House List No. 15

HCR 108

House List No. 16

HCR 119

MESSAGES FROM THE SENATE

The following messages from the senate were today received by the house:

Message No. 1

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Thursday, March 6, 1997

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

I am directed by the Senate to inform the House that the Senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

HCR 105 Place SPONSOR: Sibley
Designating March 5, 1997, as Comanche County Day at the Capitol.

HCR 107 Ramsay SPONSOR: Ratliff
Declaring March 5, 1997, as Mount Vernon/Franklin County Day at the State Capitol.

HCR 114 Berlanga SPONSOR: Zaffirini
Designating March 5, 1997, as Diabetes Day in Texas.

SB 54 Shapiro
Relating to access to certain obstetric or gynecological health care under a health benefit plan; providing administrative penalties.

SB 67 Moncrief

Relating to purchasing procedures used by the institutional division of the Texas Department of Criminal Justice.

SB 241 West, Royce

Relating to construction contract provisions, construction trust funds, and the creation of and management policies applicable to a construction account created to hold funds associated with a construction contract; providing criminal penalties.

SB 505 Harris

Relating to the characterization of a transaction as a sale of accounts or chattel paper.

SB 534 Harris

Relating to the collection of claims for recovery of money under subrogation and third-party reimbursement rights arising from medical payments by health and human services agencies.

SB 590 Duncan

Relating to the adoption or increase of local sales and use taxes by a municipality or county in which previous elections adopting the taxes are invalid.

SCR 33 Zaffirini

Designating March 5, 1997, as Diabetes Day in Texas.

Respectfully,

Betty King
Secretary of the Senate

Message No. 2

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Thursday, March 6, 1997 - 2

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

I am directed by the Senate to inform the House that the Senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

HCR 100 Jackson

SPONSOR: Brown

Proclaiming April 12, 1997, Space Explorers' Day in Texas.

HCR 119 Stiles

SPONSOR: Armbrister

Commending David Bernsen for his service to the Texas Transportation Commission.

Respectfully,

Betty King
Secretary of the Senate

Message No. 3**MESSAGE FROM THE SENATE
SENATE CHAMBER**

Austin, Texas

Thursday, March 6, 1997 - 3

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

I am directed by the Senate to inform the House that the Senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:**SB 886** Ratliff

Relating to making emergency appropriations.

Respectfully,

Betty King
Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

March 5

Agriculture & Livestock - **HB 950**Economic Development - **HB 567**Financial Institutions - **HB 906**Land & Resource Management - **HB 218, HB 1109, SB 438**Pensions & Investments - **HB 9****ENGROSSED**March 5 - **HB 338, HB 368, HB 432, HB 485, HB 581, HB 1155****RECOMMENDATIONS FILED WITH THE SPEAKER**March 5 - **HB 1484****SIGNED BY THE GOVERNOR**March 5 - **HCR 43, HCR 52, HCR 92, HCR 95**